

REMARKS

Because the requirement for restriction is made final, applicant herewith has cancelled claims 12 and 13 without prejudice to the filing of one or more divisional applications directed to the subject matter thereof.

With respect to the objection as to claims 1 and 3 because of what the Examiner found to be unclear, with respect to the use of the term *intermediate width*, applicant herewith has sought to amend those claims by referring to said width as "given width". Also, claims 3 and 5 have been amended to recite that the intermediate areas, or their given widths are completely removed.

Clause (f) of claim 1 additionally recites removing the given width of the intermediate areas.

The rejection over Koscitzky is noted, and it is readily apparent that Koscitzky does not in any respect teach the essence of this invention. Rather, Koscitzky teaches the opposite of this invention.

That is, in this invention the intermediate zones that contain some granules from the tab zone on one side of the slot, and some granules from the tab zone on the other side of the slot, is removed. In distinction to this, in Koscitzky, only some portion of the intermediate zone is removed, purposefully leaving some of the intermediate granules (ie, containing some granules from the tab zone on one side of the slot and some granules from the tab zone on the other side of the slot) on each side of the slot after the slot is formed. This could not be clearer. Reference is made to Figures 6 and 7, for example where intermediate zone granules at 36(a) and 36(b) are clearly shown as remaining after the formation of the slot. Moreover, the text of Koscitzky could not be any clearer in this respect. See column 5 lines 19 and 20 wherein it is explicitly stated that the removal is only of "the part of the transition area where the two blends are approximately equal". Note that, it is only *part* of the transition area that is removed, as is shown in the illustrations. See also column 5 lines 25-28, wherein it is stated that "... it will remove portions of the transition area 36 where the granules from each blend 26a", 26b" have approximately 50:50 ratio" (emphasis added).

See also column 4 lines 29-30, where it is again clear that "... the portion 36a of the transition area to the left of the left hand slot 76 and lines 32-33, where "... the

portion 36b of the transition area to the right of the left hand slot 76 will be largely determined by the color of blend 26b".

Then, Koscitzky goes on to state in column 5 lines 36-36 that "The portions 36a, 36b of the transition area which remain after the slot has been cut will not be noticed by the eye, because of the presence of the slot 76." (emphasis added)

It is thus apparent that the teaching and the goal of Koscitzky is the opposite of that of the applicant here.

The rejection of Koscitzky must fail under both 35 USC §102 and 103.

Accordingly, all of claims 1 through 7 and 11 are clearly patentable over Koscitzky.

With respect to the rejection of claims 8 through 10 over Koscitzky in view of the admitted prior art cited on pages 1-2 of this application, that rejection must also fail, because Koscitzky has no place in the combination.

Reconsideration and allowance of the application is respectfully solicited.